THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.19249 OF 2006

Date: 12-10-2006

Between:

D.Dasaiah and others … Petitioners

And

The Registrar General
High Court of A.P. and others … Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND
THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO.19249 OF 2006

O R D E R *(Per the Hon'ble Sri Justice Bilal Nazki):*

Heard learned counsel for the petitioners.

This writ petition has been filed challenging the notification dated 23-08-2006 inviting applications to fill up six posts of Copyists. The petitioners have also challenged proceedings dated 04-09-2006 rejecting their claim for being regularized. They have also sought the relief of regularization. The case of the petitioners is that they had been promoted on 30-11-2002, along with respondent Nos.3 to 8, but the posts which they are holding are being re-advertised for direct recruitment, although they were appointed temporarily, they are entitled to be regularized.

Counter has been filed. It is stated that in 2002, there were twelve posts of Copyists and in terms of the Rules, six posts had to be filled by direct recruitment and six posts had to be filled by promotion/appointment by transfer from lower categories. The candidates who were eligible for being appointed by transfer were considered and six of them were appointed by virtue of order No.CCC-HYD/AW/E-1/1/2002/8985 dated, 30-11-2002. The petitioners could not be promoted on the basis of their merit and ability. Since the posts which had to be filled by direct recruitment were not filled up at that time, therefore, the petitioners in a stopgap arrangement were also temporarily promoted as Copyists. Now the respondents have decided to fill up the posts, which are meant to be filled up, by direct recruitment. The petitioners have no cause against filling of those posts.

In this view of the matter, we do not think that the petitioners have any cause and this Court cannot stop direct recruitment when the

six posts, which are presently occupied by the petitioners, are meant to be filled up by direct recruitment, in accordance with the Recruitment Rules.

The writ petition is accordingly dismissed. No order as to costs.

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(Bilal Nazki,J)

Dated 12th October, 2006

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(Nooty Ramamohana Rao,J)

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